

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

CASE NO.: 1:22-cv-00789-RP

WEARABLE SHOE TREE, LLC,

Plaintiff,

v.

THE INDIVIDUALS, PARTNERSHIPS,
AND UNINCORPORATED
ASSOCIATIONS IDENTIFIED ON
SCHEDULE "A",

Defendant.

[proposed] ORDER OF DISMISSAL WITH PREJUDICE AS TO DEFENDANTS 279

AND 316

On ___, Plaintiff dismissed all claims in this case with prejudice against Defendants:

- Top Store (Defendant No. 279 on Schedule "A"), and
- Aroma360 (Defendant No. 316 on Schedule "A") , (Dkt. __).

Rule 41(a)(1)(A)(i) allows a plaintiff to voluntarily dismiss an action without a court order by filing a notice of dismissal before the opposing party serves an answer or a motion for summary judgment. Fed. R. Civ. P. 41(a)(1)(A)(i). Defendants have not served answers or motions for summary judgment. Plaintiff's notice is therefore "self-effectuating and terminates the case in and of itself; no order or other action of the district court is required." *In re Amerijet Int'l, Inc.*, 785 F.3d 967, 973 (5th Cir. 2015), as revised (May 15, 2015).

IT IS ORDERED that Plaintiff's claims against Defendant Nos. 160 and 253 are hereby
DISMISSED with prejudice

SIGNED on _____, 2022. .

ROBERT PITMAN
UNITED STATES DISTRICT JUDGE